

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTHONY JOHNSON,

Plaintiff,

v.

ROSALIND ROBINSON, WALESKA  
LIRIOS, JAMES CROSS and UNKNOWN  
PARTIES,

Defendants.

Case No. 15-cv-298-JPG-RJD

**JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision,

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered as follows:

- in favor of defendants Robinson and Lirios and against plaintiff Johnson on Count 1, an Eighth Amendment deliberate indifference claim for endangering Johnson's safety through housing decisions made on or after December 4, 2013;
- in favor of defendants Robinson and Lirios and against plaintiff Johnson on Count 2, a Fifth Amendment equal protection claim for housing decisions made on or after December 4, 2013; and

IT IS FURTHER ORDERED AND ADJUDGED that the following claims are dismissed without prejudice:

- Counts 1 and 2 to the extent they rest on housing decisions made before December 4, 2013, for which plaintiff Johnson did not exhaust administrative remedies;
- Count 3, a Fifth Amendment due process claim against defendant Cross in connection with discipline proceedings in November 2013 and January 2014;
- Count 4, a First Amendment retaliation claim against defendants Robinson, Lirios and Unknown Parties based on retaliation for Johnson's filing of administrative grievances; and

IT IS FURTHER ORDERED AND ADJUDGED that the following claims are dismissed with prejudice:

- Count 5: a claim under the Health Insurance Portability and Accountability Act against defendant Robinson for disclosing Johnson's HIV-positive status.

**DATED: November 13, 2017**

**JUSTINE FLANAGAN, Acting Clerk of Court**

**s/Tina Gray, Deputy Clerk**

**Approved:** s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**